

Message Text

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ACTION COME-00

INFO OCT-01 ARA-16 ISO-00 L-03 AID-20 CIAE-00 EB-11 FRB-02

INR-10 NSAE-00 RSC-01 TRSE-00 XMB-07 OPIC-12 SP-03

CIEP-02 LAB-06 SIL-01 OMB-01 DOTE-00 DODE-00 PA-04

USIA-15 PRS-01 DRC-01 /117 W
----- 114036

P 022155Z JUL 74

FM AMEMBASSY SAN SALVADOR

TO SECSTATE WASHDC PRIORITY 5861

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E.O. 11652 - N/A

TAGS: BEXP, ES

SUBJ: IRCA - LATEST DEVELOPMENTS

REF: SAN SALVADOR 2441

1. ON JUNE 28 DR TRIGUEROS, IRCA'S ATTORNEY, HANDED US A COPY OF A GOES MINISTRY OF FINANCE EXECUTIVE DECREE ORDERING IRCA TO PAY 5,353,554 COLONES BY COB JULY 4 IN PAYMENT OF BACK TAXES ON CUTUCO PORT CHARGES BETWEEN JUNE 1938 AND MAY 1974. THIS HAS BEEN AN ISSUE SINCE 1958 WHEN THE GOES FIRST CONTESTED IRCA'S LEGAL CLAIM TO HAVE THIS REGULAR PORT TAX P LED. DR TRIGUEROS SAID HE HAD CABLED WEBEP FOR INSTRUC- TIONS AND THAT HE WOULD SEEK A STAY FROM THE SUPREME COURT TODAY, JULY 2, SINCE MONDAY, JULY 1, WAS A LEGAL HOLIDAY. WE URGED HIM TO RESORT TO ALL LEGAL REMEDIES AND HE SAID HE WOULD.

2. IN REPLY TO OUR QUERY, "INTEFVENTOR" LIC. BATISTA MENA CLAIMED THAT THE GOES HAD "EVERY RIGHT TO CLAIM THIS TAX, THE WAIVER OF WHICH, AS ARGUED BY IRCA, HAD NO LEGALITY SINCE SUCH A WAIVER HAD NEVER BEEN AUTHORIZED EITHER BY THE "CORTE DE
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CUENTAS" OR THE CABINET. BUT HE ADMITTED THAT YHE GOES HAD

NEVER DONE ANYTHING TO COLLECT IT BEFORE OUT OF SHEER INDOLENCE ("POR DESIDIA"). HE REITERATED THE GOES'S DESIRE TO AVOID SEIZURE OF IRCA BY ARBITRARY MEANS AND CONFIRMED THAT ON JULY 4 THE GOES WOULD "IMPOUND" IRCA PROPERTIES UP TO THE VALUE OF THE BACK TAX, IF IT ISN'T PAID.

3. THERE IS A STRANGE COINCIDENCE BETWEEN THE AMOUNT OF TAX CLAIM AND THE AMOUNT (\$2,000,000) WHICH WEBER FLOATED AS A FAIR SETTLEMENT IN THE EVENT IRCA IS EXPROPRIATED.
CAMPBELL

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